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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,100	10/21/2002	Martin Philip Usher	11696.0054	1690

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EXAMINER

DOAN, KIET M

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,100

Applicant(s)

USHER ET AL.

Examiner

Kiet Doan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 9-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/22/2002.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 10 objected to because of the following informalities: examiner believes claim 10 beginning paragraph should be "The method of claim 9". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 9** rejected under 35 U.S.C. 103(a) as being unpatentable over Vialen et al. (Patent No. 6,535,979) in view of Bartholomew et al. (Patent No. 5,724,417).

Consider **claim 9**, Vialen teaches method for facilitating telephone traffic between a fixed network and a movable network aboard a vehicle (Col 3, lines 37-41, Fig.1, No 100, 102 teach communication between fix network and movable network).

Vialen teach the claim limitation but fail to teach comprising: configuring a ground-based host node to forward incoming calls from the fixed network to the user, and to forward outgoing calls from the user to the fixed network, suspending, in response to a control signal, forwarding incoming calls to the user; wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network.

In an analogous art, Bartholomew teach "Call Forwarding Techniques Using Smart Cards". Further, Bartholomew teaches comprising: configuring a ground-based host node to forward incoming calls from the fixed network to the user (Col 7, lines 2-11 teach forward incoming call from the fixed network by call controlling system) and to forward outgoing calls from the user to the fixed network (Col 8, lines 34-44 teach forward outgoing call from by call controlling system) suspending (Col 7, lines 50-53 teach interrogation signal which would be suspending) in response to a control signal (Col 7, lines 53-56 teach acknowledgment signal which would be read on response to a control signal) forwarding incoming calls to the user (Col 7, lines 56-62 teach call controlling system continue forward) wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network (Col 7, lines, 51-67, Col 8, lines 1-13 teach interrogation signal and auditing which would be forwarding incoming calls does not disconnect call).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicants invention was made to included, within Vialen system, call forwarding, as taught by Bartholomew to modify the system that provided to the users in receive/transmit (forwarding) call without lost connection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim 10-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vialen et al. (Patent No. 6,535,979) in view of Bartholomew et al. (Patent No. 5,724,417) and further view of Jonsson (Patent No. 5,915,224).

Consider **claim 10**, Vialen and Bartholomew disclosed the invention **but silence on** the method wherein said configuring comprises registering routing information for a telecommunications device associated with the user aboard the vehicle.

In an analogous art, Jonsson teach "Telecommunication Method for Multi-Network Communications". Further, Jonsson teaches the method wherein said configuring comprises registering routing information for a telecommunications device associated with the user aboard the vehicle (Col 7, lines 35-57 teach registration information for a telecommunications device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicants invention to included, within Vialen and Bartholomew system, telecommunication method for multi-network communication, as taught by Jonsson to modify the system so it can know where about the users when it access different network.

Consider **claim 11**, Jonsson teaches the method wherein said registering comprises: modifying user cellular divert on busy instructions to the device aboard the vehicle (Col 8, lines 27-34 teach comprises call forwarding busy which would as instruction the telephone/ user cellular diver on busy) and setting a status of the user's cellular telephone to busy regardless of the actual operating state of the user's cellular telephone (Col 8, lines 27-34 teach call forwarding busy, call waiting means as setting these option in the telephone/user cellular busy regardless of the actual operating).

Consider **claim 12**, Bartholomew teach the method wherein said suspending incoming calls comprises de-registering the routing information (Col 11, lines 57-67, Col 12, lines 1-6 teach users leave vicinity means as out of radius which inherently would be de-register the routing information).

Consider **claim 13**, Vialen teaches ground-based host node configured to facilitate telephone traffic between a fixed network and a movable network aboard a vehicle (Col 3, lines 37-41, Fig.1, No 100, 102 teach communication between fix network and movable network).

Bartholomew teaches comprising: a ground station configured to, in response to a user registration aboard a vehicle (Col 6, lines 32-49, Col 7, lines 38-43 teach CO which inherently ground station and call controlling system which perform audit and time stamp means as user registration) forward incoming calls from the fixed network to a user (Col 7, lines 2-11 teach forward incoming call from the fixed network by call

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controlling system) and to forward outgoing calls from the user to the fixed network (Col 8, lines 34-44 teach forward outgoing call from by call controlling system)

the ground station being configured to at least temporarily discontinue (Col 12, lines 7-19 teach call forwarding terminate and resume means as temporarily discontinue)

in response to a control signal (Col 11, lines 41-53 teach response to an interrogation signal means as response to a control signal) forwarding incoming calls to the user (Col 11, lines 53-56 teach forwarding) wherein the discontinuation in response to said control signal does not affect a call in progress between the user and the fixed network (Col 12, lines 35-62, Col 13, lines 1-8 teach no acknowledgment signal means as discontinuation call forwarding and it does not affect a call in progress).

Consider **claim 14**, Jonsson teaches the ground-based host node wherein said ground station responds to said user registration by modifying the user cellular divert on busy instructions to identify a registered location of the user aboard a vehicle (Col 8, lines 27-34 teach comprises call forwarding busy which would as instruction the telephone/ user cellular diver on busy) and setting a status of the user's cellular telephone to busy regardless of the actual operating state of the user's cellular telephone (Col 8, lines 27-34 teach call forwarding busy, call waiting means as setting these option in the telephone/user cellular busy regardless of the actual operating).

Consider **claim 15**, Bartholomew teaches the ground-based host node wherein said ground station discontinues forwarding incoming calls by de-registering routing

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information for a telecommunications device associated with the user aboard the vehicle (Col 11, lines 57-67, Col 12, lines 1-6, 35-62 teach users leave vicinity means as out of radius which inherently would be de-register and discontinues forwarding).

Consider **claim 16**, Bartholomew teaches a method for facilitating telephone traffic between a ground-based network and a movable network aboard a vehicle (Col 6, lines 32-49, Fig.1 No.25, 19 teach fix net work read on home CO and moveable net work read on remote CO) comprising: sending registration information of a user aboard the vehicle to the ground-based network (Col 6, lines 32-49, Col 7, lines 38-43 teach CO which inherently ground station and call controlling system which perform audit and time stamp means as sending registration) such that the user can receive incoming calls and place outgoing calls from the vehicle consistent with the user's preexisting cellular telephone account (Col 8, lines 20-67 teach smart card would perform receive incoming calls and place outgoing calls and data field to specify users ID which inherently telephone account) sending a control signal representing a request for the ground-based network to discontinue forwarding incoming calls to the vehicle (Col 12, lines 21-62 teach sending interrogation signal and no acknowledgment means as discontinue forwarding) wherein said control signal does not affect a call in progress between the user and the fixed network (Col 12, lines 35-62, Col 13, lines 1-8 teach no acknowledgment signal means as discontinuation call forwarding and it does not affect a call in progress).

Conclusion

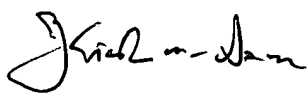
1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Bannister et al.	Patent No. 5,548,636
Amin	Pub. No. 2001/0051534
Iijima et al.	Patent No. 5,787,343
Tiedemann, Jr et al.	Patent No. 5,642,398

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 703-305-4749. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kiet Doan
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